

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA**

**James N. Hatten
District Court Executive
and Clerk of Court**

**2211 U.S. Courthouse
75 Ted Turner Drive, SW
Atlanta, Georgia 30303-3361**

404-215-1600

January 30, 2018



PUBLIC NOTICE AND REQUEST FOR COMMENT

The United States District Court for the Northern District of Georgia is proposing new Local Rule 3.4 and new Local Patent Rule 1.4 to require appropriate parties in patent, copyright, and trademark cases to complete and file AO Form 120 and/or AO Form 121, as applicable.

The Court also is proposing revisions to Local Rule 83.4A, which governs recording equipment in courthouses.

A full copy of the proposed new rules and the revisions to Local Rule 83.4A is available at the public counter of each divisional office of the Court and on the Court's public website at: www.gand.uscourts.gov.

The Court is soliciting comments from the public and the bar on these proposals.

Comments should be made in writing by March 2, 2018, to:

James N. Hatten
District Court Executive and Clerk of Court
Room 2217, U. S. Courthouse
75 Ted Turner Drive, S.W.
Atlanta, Georgia 30303-3361

Proposed New Local Rule 3.4:

LR 3.4 PATENT, TRADEMARK, AND COPYRIGHT CASES

The plaintiff in a patent, trademark, and/or copyright case must, at the commencement of the action, complete and file AO Form 120 or 121 (whichever is/are applicable). The Clerk of Court then will submit the form(s) to the U.S. Patent and Trademark Office or the U.S. Copyright Office, as applicable. When any party makes a subsequent filing that adds additional patents, trademarks, and/or copyrights into the litigation, that party must complete and file an updated AO Form 120 or 121 (whichever is/are applicable), which the Clerk of Court then will submit to the applicable office(s).

Proposed New Local Patent Rule 1.4:

LPR 1.4 SUBMISSION OF AO FORM 120

See L.R. 3.4, N.D. Ga., for the requirement to complete and file AO Form 120 at the commencement of the action and when any party makes a subsequent filing that adds additional patents into the litigation.

Clean Version of Proposed, Revised Local Rule 83.4A:

LR 83.4 RESTRICTIONS ON MEDIA AND RELEASE OF INFORMATION

A. Recording, Broadcasting or Photographing Judicial Proceedings.

Regardless of whether court is actually in session, photographing, recording, or broadcasting in or from a district courthouse in connection with judicial proceedings or during judicial proceedings, including those before a United States Magistrate Judge, is prohibited. A judicial officer may, however, allow use of photographic or electronic equipment for: the presentation of evidence; the perpetuation of the record; ceremonial, investiture, or naturalization proceedings; security purposes; and other purposes of judicial administration.

Still cameras, video cameras, and/or any electronic devices equipped with cameras, including cellular phones, smart phones, tablets, laptop computers, and devices that wirelessly connect to and pair with such devices to transmit data, will not be allowed into district courthouses except by court order or by direct escort and supervision of an employee of a federal agency whose offices are located therein. Attorneys possessing court issued identification cards, authorized federally certified contract interpreters, and court employees are permitted to bring their personal electronic devices into the courthouse; however, they are bound by the same restrictions as the general public.

To facilitate the enforcement of this rule, no photographic, broadcasting, or recording equipment, with the exception of the recording equipment in United States magistrate judge courtrooms and that of official court reporters, will be permitted to be operated on courthouse floors occupied by the court, except as otherwise permitted by the presiding judge.

Personal devices without cameras may be allowed onto floors occupied by the court; however, these devices shall neither be operated in any courtroom or hearing room, nor be operated in any public area where their operation is disruptive to a court proceeding or court operations unless otherwise permitted by order of the court.

All electronic photographic, broadcasting, and recording equipment brought into federal courthouses in this district shall be subject to inspection at any time by the United States Marshals Service.

Redlined Version of Proposed, Revised Local Rule 83.4A:

LR 83.4 RESTRICTIONS ON MEDIA AND RELEASE OF INFORMATION

A.

~~Television and Radio~~

~~Recording, Broadcasting, Tape Recording, or Photographing Judicial Proceedings.~~

~~The taking of photographs and operation of tape recorders in the courthouse and radio or television broadcasting from the courthouse during the progress of or~~

Regardless of whether court is actually in session, photographing, recording, or broadcasting in or from a district courthouse in connection with judicial proceedings ~~or during judicial proceedings~~, including ~~proceedings~~ those before a United States Magistrate Judge, ~~whether or not court is actually in session~~, is prohibited. A judicial officer may, however, ~~permit (1) the~~ allow use of ~~electronic or photographic means or electronic equipment for~~ the presentation of evidence ~~or~~, the perpetuation of ~~the~~ record, and (2) ~~the broadcasting, televising, recording, or photographing of investiture, ceremonial, ceremonial, investiture, or naturalization proceedings; security purposes; and other purposes of judicial administration.~~

~~Cameras~~

Still cameras, video cameras, and/or any electronic devices equipped with cameras, including cellular ~~telephones~~ phones, ~~personal digital assistants and~~ smart phones, tablets, laptop computers, and devices that wirelessly connect to and pair with such devices to transmit data, will not be allowed into ~~the district~~ courthouses ~~of this district~~ except by court order or by direct escort and supervision of an employee of a federal agency whose offices are located therein.

Attorneys possessing court issued identification cards, authorized federally certified contract interpreters, and court employees are permitted to bring their personal electronic devices into the courthouse; however, they are bound by the same restrictions as the general public.

To facilitate the enforcement of this rule, no photographic, broadcasting, ~~sound~~ or recording equipment ~~other than~~, with the exception of the recording equipment ~~of the~~ United States magistrate ~~judges~~ judge courtrooms and ~~the~~ that of official court reporters, will be permitted to be operated on ~~the floors of the~~ courthouse floors occupied by the court, except as otherwise permitted by ~~order of the judicial officer before whom the particular case or proceeding is pending.~~

~~Portable computers, cellular telephones, pagers and personal communication~~ presiding judge.

Personal devices without cameras may be ~~transported~~ allowed onto floors occupied by the court; however,

these devices shall ~~not~~ neither be operated in any courtroom or hearing room, nor ~~shall they~~ be operated in any public area where their operation is disruptive ~~of~~ to any court proceeding or court operations unless otherwise permitted by order of the court.

All electronic photographic, broadcasting, ~~sound or~~ recording equipment brought into ~~the federal~~ courthouses ~~in this district~~ shall be subject to inspection ~~at any time~~ by the United States Marshals' Service.

Original Version of Local Rule 83.4A:

LR 83.4 RESTRICTIONS ON MEDIA AND RELEASE OF INFORMATION

A. Television and Radio Broadcasting, Tape Recording, or Photographing Judicial Proceedings.

The taking of photographs and operation of tape recorders in the courthouse and radio or television broadcasting from the courthouse during the progress of or in connection with judicial proceedings, including proceedings before a United States Magistrate Judge, whether or not court is actually in session, is prohibited. A judicial officer may, however, permit (1) the use of electronic or photographic means for the presentation of evidence or the perpetuation of a record, and (2) the broadcasting, televising, recording, or photographing of investiture, ceremonial, or naturalization proceedings.

Cameras and/or any electronic devices equipped with cameras, including cellular telephones, personal digital assistants and laptop computers, will not be allowed into the courthouses of this district except by court order or by direct escort and supervision of an employee of a federal agency whose offices are located therein.

To facilitate the enforcement of this rule, no photographic, broadcasting, sound or recording equipment other than the recording equipment of the United States magistrate judges and the official court reporters, will be permitted to be operated on the floors of the courthouse occupied by the court, except as otherwise permitted by order of the judicial officer before whom the particular case or proceeding is pending.

Portable computers, cellular telephones, pagers and personal communication devices without cameras may be transported onto floors occupied by the court; however, these devices shall not be operated in any courtroom or hearing room nor shall they be operated in any public area where their operation is disruptive of any court proceeding unless otherwise permitted by order of the court.

All electronic photographic, broadcasting, sound or recording equipment brought into the courthouses shall be subject to inspection by the United States Marshals' Service.